

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 23-28, 31-35, 37, and 40-42. Applicant respectfully submits no new matter has been added. Accordingly, claims ____ are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections – Specification

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. The Applicant respectfully submits that the term “means for providing services in exchange for units” is supported by the Specification in various places; specifically, support is found on page 8, lines 4-10 reciting in part, “... the credit management system 8 notifies the WAP gateway 5 of the acceptance (of the credit) and the gateway provides service to the user at mobile communications means 11.”

Claim Rejections – 35 U.S.C. § 101

Claims 23-41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Applicant has made amendments to the claims to direct the claims to statutory subject matter

Claim Rejections – 35 U.S.C. § 112

Claims 42-44 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as the invention. The Applicants have corrected the deficiencies in claims 42-44 and the Applicants respectfully submit that claims 42-44 are now allowable.

Claims 23-44 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as the invention. Claims 23-44 have been amended to correct the deficiencies in each claim and the Applicants respectfully submit that claims 23-44 are now allowable.

Claim Rejections – 35 U.S.C. § 102(b)

Claims 23-44 stand rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al (WO 98/56160). The Applicant respectfully traverses the rejection of these claims.

The Applicant's invention uses forced booking to solve inter-service credit deadlocks. In the instance of a WAP service being provisioned for a mobile station account, a PC requests email service and maybe more users request services; all accessing the same account. The credit management system may determine that there are not enough credits for reservations. The credit management system of the present invention forces booking of all the credits consumed by the 'online' users which will release all the outstanding reservations. Then the system submits new reservation requests. (Summary). So, in the present invention the last request will force all services that have reserved credits to book only actual used credit and free up the rest of the credit (units). After that, new requests can be given and the bandwidth connection service then has a higher priority.

Smith does not address the problem of multiple services reserving credits from the same account where a late arriving service will not be able to run as credits are not reserved for the late service. Smith does not disclose forced booking as Smith does not address the problem that the present invention addresses.

The Smith reference discloses the regular process of reserving and booking credits. A portion of a value is withdrawn from a subscriber's pre-paid account. A withdrawal of a second portion from the subscriber's pre-paid account can be made responsive to receipt of a second transaction request if available. The second transaction is processed, in parallel with the first transaction, in response to the second transaction request if the requesting approval step is approved. Smith, in summary, withdraws a first amount from the account based on an estimate of the call length and if the value left in the account is large enough to cover the second withdrawal request, a second amount is withdrawn and allocated to cover the ongoing call. Once the call is completed, any remainder of the allocated amount is returned to the pre-paid account.

Consequently, if a parallel transaction takes place, the account value made available for this transaction may be less than or equal to the actual current account value.

MPEP § 2131 provides:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claims.

Contrary to the Examiner's statement that all elements are disclosed in the Smith reference, the element regarding executing "forced booking, during service provisioning by the credit management system, of actually consumed units for at least one service" is not disclosed. So, the rejection is unsupported by the art and the Applicant respectfully requests the withdrawal of the rejection.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


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